

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kenneth Merola et al.

Serial No. : 10/008,579

Art Unit: 2851

Filed : November 8, 2001

Examiner: David M. Gray

For : METHOD OF PROMOTING SKIN CARE PRODUCTS

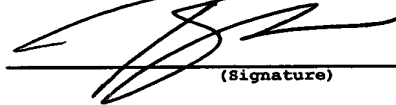
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September 8, 2004

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)



(Signature)

September 8, 2004

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☐ There are no listed references which are not in the English language.

☒ The relevance of those listed references which are not in the English language is as follows: WO 94/24936 is in German with an English abstract on the 1st page.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

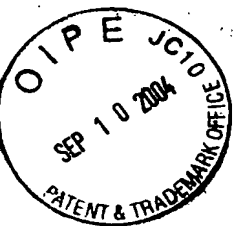
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/J&J-2066/WEM. This form is submitted in triplicate.

Respectfully submitted,



William E. McGowan
Reg. No. 39,301
Attorney for Applicants

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DATED: **September 8, 2004**



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 4

Application Number	10/008,579
Filing Date	November 8, 2001
First Named Inventor	Merola
Group Art Unit	2851
Examiner Name	David M. Gray
Attorney Docket Number	J&J-2066

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		3,904,293		Gee	09/09/1975	
		4,170,987		Anselmo et al.	10/16/1979	
		4,398,541		Pugliese	08/16/1983	
		4,842,523		Bourdier et al.	06/27/1989	
		4,905,700		Wokalek et al.	03/06/1990	
		4,911,544		Walsh	03/27/1990	
		5,005,975		Kawai et al.	04/09/1991	
		5,241,468		Kenet	08/31/1993	
		5,363,854		Martens et al.	11/15/1994	
		5,456,260		Kollias et al.	10/10/1995	
		5,556,612		Anderson et al.	09/17/1996	
		5,640,957		Kaminski et al.	06/24/1997	
		5,836,872		Kenet et al.	11/17/1998	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		PCT	WO 00/76398	A1	The Procter & Gamble Company	12/21/2000		
		PCT	WO 01/04839	A2	Unilever NV	01/18/2001		
		PCT	WO 01/82786	A2	Flock et al.	11/08/2001		
		PCT	WO 01/22741	A2	Nadeau et al.	03/29/2001		
		PCT	WO 01/35827	A1	Polartech Limited	05/25/2001		
		PCT	WO 01/45557	A1	Xilinx Technologies Corporation	06/28/2001		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Number	Kind Code ² (if known)			
		5,991,433		Osana et al.	11/23/1999	
		6,018,586		Kamei	01/25/2000	
		6,081,612		Gutkowicz-Krusin et al.	06/27/2000	
		6,134,011		Klein et al.	10/17/2000	
		6,148,092		Qian	11/14/2000	
		6,208,749		Gutkowicz-Krusin et al.	03/27/2001	
		6,215,893		Leshem et al.	04/10/2001	
		6,251,070	B1	Khazaka	06/26/2001	
		6,293,284	B1	Rigg	09/25/2001	
		6,437,856	B1	Jacques	08/20/2002	
		6,728,560	B2	Kollias et al.	04/27/2004	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵				
		PCT	WO 94/24936	A1	Beiersdorf AG	11/10/1994		
		PCT	WO 97/47235	A1	J.M.I. Ltd.	12/18/1997		
		PCT	WO 98/24360	A1	Lui et al.	06/11/1998		
		PCT	WO 98/37811	A1	Electro-Optical Sciences, Inc.	09/03/1998		
		EPO	0 682 236	A1	Chromatics Color Sciences	11/15/1995		
		EPO	EP 0 737 932	B1	NEC Corporation	10/16/1996		

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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

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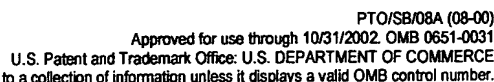
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